

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK**

THE CONTINENTAL INSURANCE
COMPANY, successor by merger to
Commercial Insurance Company of Newark,
New Jersey, and Firemen's Insurance
Company of Newark, New Jersey,

Plaintiff-Appellant,

v.

DIOCESE OF ROCHESTER,

Defendant-Appellee,

and

OFFICIAL COMMITTEE OF
UNSECURED CREDITORS,

Intervenor-Appellee.

District Court Case No. 6:24-cv-06621-
CJS

Appeal from Bankruptcy
Adv. Proc. No. 23-2014-
PRW

**APPELLEE'S RESPONSE TO APPELLANT'S EMERGENCY *EX PARTE* MOTION
FOR EXTENSION OF TIME TO FILE ITS OPENING BRIEF ON APPEAL**

Appellee, the Official Committee of Unsecured Creditors in the bankruptcy case of The Diocese of Rochester (Case No. 19-20905-PRW) submits this Response to *Appellant's Ex Parte Motion for Extension of Time to File Its Opening Brief on Appeal* and respectfully submits as follows.

1. Appellant's Notice of Appeal was filed on October 21, 2024 [Bankr. Adv. Proc. 23-2014, Docket No. 96]. Thus, by the time the Appellant's opening brief is due, Appellant will have had effectively sixty days to prepare its brief.

2. Appellee was and remains concerned about delay in the proceedings in the bankruptcy case as result of this appeal. The Diocese of Rochester recently filed a revised plan and disclosure statement in its bankruptcy case, and Appellee is concerned of the potential delay to the confirmation

process while this appeal is outstanding.

3. Appellee believes that a twenty day extension for the Appellant to file its brief -- January 15, 2025, in light of the holidays, is reasonable under the circumstances. However, if this Court is inclined to grant a further extension the Appellee's will not offer any opposition to it.

Dated: December 17, 2024

Respectfully submitted,

PACHULSKI STANG ZIEHL & JONES
LLP

/s/ Ilan D. Scharf

James I. Stang (admitted *pro hac vice*)

Ilan D. Scharf

Iain Nasatir

Karen B. Dine (admitted *pro hac vice*)

Jeffrey M. Dine

780 Third Avenue, 34th Floor

New York, NY 10017

Telephone: (212) 561-7700

Facsimile: (212) 561-7777

Email: jstang@pszjlaw.com
ischarf@pszjlaw.com
inasatir@pszjlaw.com
kdine@pszjlaw.com
jdine@pszjlaw.com

*Counsel to the Official Committee of
Unsecured Creditors, Appellee*

BURNS BAIR LLP

Timothy W. Burns (admitted *pro hac vice*)

Jesse J. Bair (admitted *pro hac vice*)

10 E. Doty Street, Suite 600

Madison, WI 53703

Telephone: (608) 286-2302

Email: tburns@burnsbair.com
jbair@burnsbair.com

*Special Insurance Counsel to the Official
Committee of Unsecured Creditors, Appellee*